

## REMARKS

The Examiner rejected claims 1-28 under 35 U.S.C. §101 as claiming the same invention as claims 1-28 of co-pending Application No. 10/465,379, now U.S. Patent No. 6,733,361. The Applicant has amended independent claims 1, 13, and 15 to recite language that is not found in the claims of the '361 patent. The Applicant therefore submits that the Applicant is not providing the same recited claims as found in the '361 patent. The Applicant hereby requests that the Examiner withdraw the double patenting rejection.

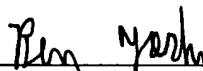
The Applicant has amended the specification to update the continuation data.

The Applicant submits that the claims are in condition for allowance. Allowance of claims 1-6 and 13-20 at an early date is solicited.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: October 7, 2004



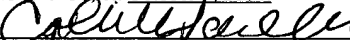
BEN YORKS

Reg. No. 33,609

840 Newport Center Drive  
Suite 400  
Newport Beach, CA 92660-6324  
(949) 760-0991

### Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 7, 2004.

  
Catherine M. Sanders

10-7-04  
Date